

**REMARKS**

Upon entry of the instant Amendment, Claims 1-18 are pending. Claims 1, 7, 10, and 14 have been amended to more particularly point out Applicants' invention. Claims 4 and 11 have been amended to provide antecedent basis for dependent claim elements. The Specification has been amended to provide serial numbers for related applications. In addition, the Specification and Drawings have been amended to correct various mislabeling of the figures. No new matter has been added.

The drawings were objected to because of various mislabelings of the figures. Either the drawings or the Specification has been amended to correct the mislabelings and/or references. No new matter has been added.

Claims 4 and 11 were objected to for various informalities. Claims 4 and 11 have been amended to provide the term "predetermined" before "status," in accordance with the suggestion in paragraph 6 of the Official Action.

Claims 1-3, 7-9, and 14-15 have been rejected under 35 U.S.C. §102(e) as being anticipated by Stewart, U.S. Patent No. 6,643,516 ("Stewart"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Stewart.

As discussed in the Specification, the present invention relates to a presence and location system, including one or more remote devices and servers. In certain embodiments of the present invention, either or both of the remote units and the server(s) may be provided with a watchdog timer to allow for confirmation the remote units are still running. The watchdog timer(s) activate or begin their count when a device is detected as being present or registers with the server.

Thus, claim 1 has been amended to recite "wherein said positioning server includes a timer for determining when said position information is to be received from associated ones of said plurality of network clients responsive to receiving indicia of a presence of said associated ones;" claim 7 has been amended to recite "a wireless data controller adapted to receive said positioning information from said positioning controller and cause said positioning information to be transmitted to an

associated server at predetermined intervals responsive to an activation with the associated server;" and claim 14 has been amended to recite "said timer being activated responsive to a registration of said associated ones with said server."

In contrast, Stewart provides a system in which a calling party transmits a location request code when calling a remote party. The called remote party can then respond with its location and periodic updates. However, a timer does not activate until the called party makes the request. Thus, Stewart does not relate to a watchdog timer being activated responsive to a registration of a remote party to a server, as generally recited in the claims at issue. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 4-6 and 16-18 have been rejected under 35 U.S.C. 103 as being unpatentable over Stewart in view of Verdonk, U.S. Patent No. 6,330,454 ("Verdonk"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Stewart or Verdonk, either singly or in combination.

Stewart has been discussed above. Verdonk is relied upon for allegedly teaching a server querying a device for location. However, like Stewart, Verdonk does not provide for activating a timer upon device registration with a server. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 10 has been rejected under 35 U.S.C. 103 as being unpatentable over Stewart in view of McDowell, U.S. Patent Application No. 2002/0035605 ("McDowell"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Stewart or McDowell, either singly or in combination. As discussed above, in certain embodiments of the present invention, either or both of the remote units and the server(s) may be provided with a watchdog timer to allow for confirmation the remote units are still running. The watchdog timer(s) activate or begin their count when a device is detected as being present or registers with the server.

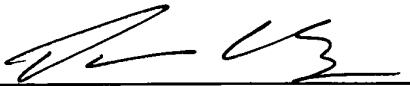
Thus, claim 10 has been amended to recite "wherein said location control unit includes a timer for determining when said location information is to be received from associated ones of said plurality of users, said timer being activated responsive to a registration of said associated ones with said telecommunications server."

Stewart has been discussed above. McDowell is relied on for allegedly teaching a presence control unit or location control unit. However, like Stewart, McDowell does not provide for a timer being activated responsive to a registration of said associated ones with said telecommunications server. In McDowell, when a user requests "location-sensitive information" (para. 0083), location information is obtained. However, a location timer is nowhere activated responsive to device registration. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 11-13 have been rejected under 35 U.S.C. 103 as being unpatentable over Stewart, McDowell, and Verdonk. Each of these has been discussed above. For reasons similar to those discussed, Applicants respectfully submit that these claims, too, are not obvious. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully requested,

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Date: 10 Jan 06

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**Amendments to the Drawings:**

The attached sheets of drawings include replacements for sheets 5, 11, 12, 15, 16, 17, 20, 22, 23, 24, and 25. The reference numerals in various drawings have been corrected.

Attachment: 11 Annotated Sheets  
11 Replacement Sheets

Figure 1 is a diagram illustrating a location-based service. It shows a map of California with a point of interest marked with an 'X' and labeled '314'. A dashed circle around this point is labeled '50 Miles' and '312'. A line connects this point to a point in Germany labeled 'Munich' and '316'. Two boxes are shown: one labeled 'Contact Via' with 'Sprint PCS Siemens S49 Pager' and a dropdown arrow, and another labeled 'From' with 'All Callers', 'Bill', 'James', 'SF Lab', and a vertical ellipsis. A third box labeled 'Contact Via' with 'GSM Phone' and a dropdown arrow is also shown. The boxes are labeled with reference numerals 315 and 317.

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Remote Server

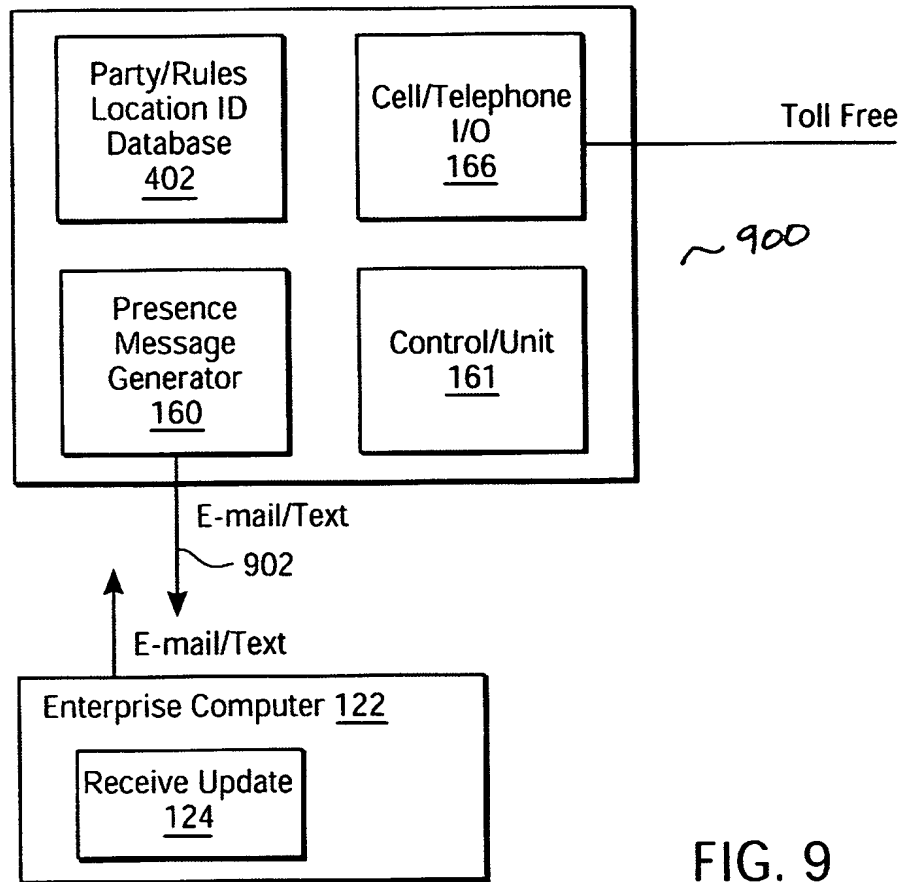


FIG. 9

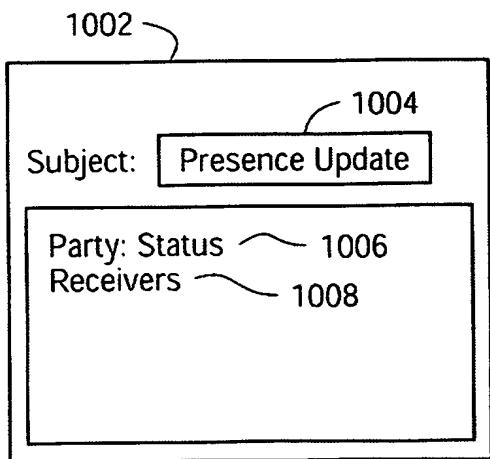


FIG. 10A

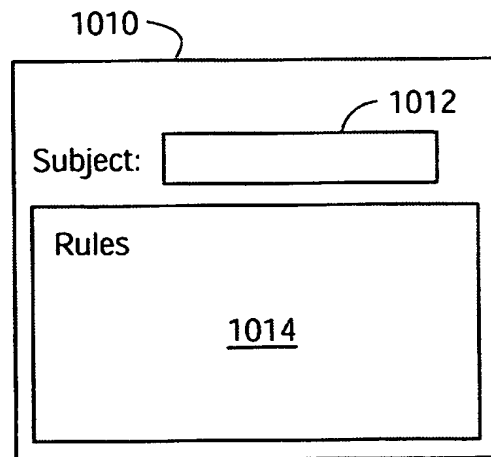


FIG. 10B

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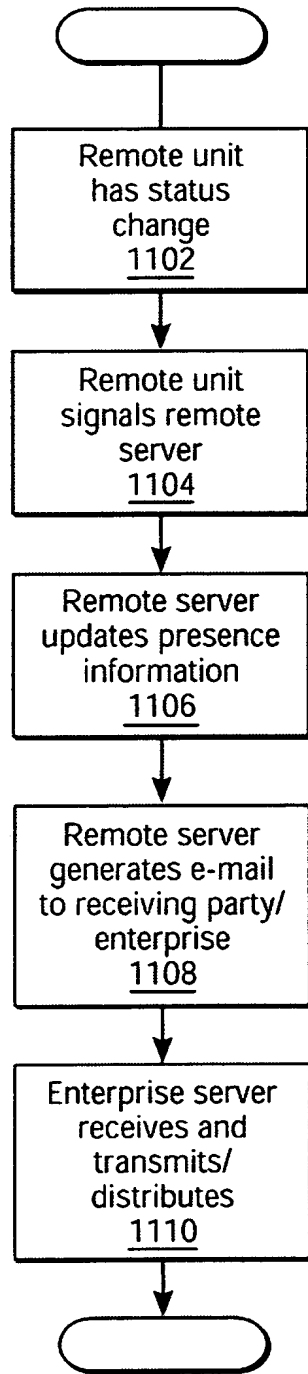


FIG. 11

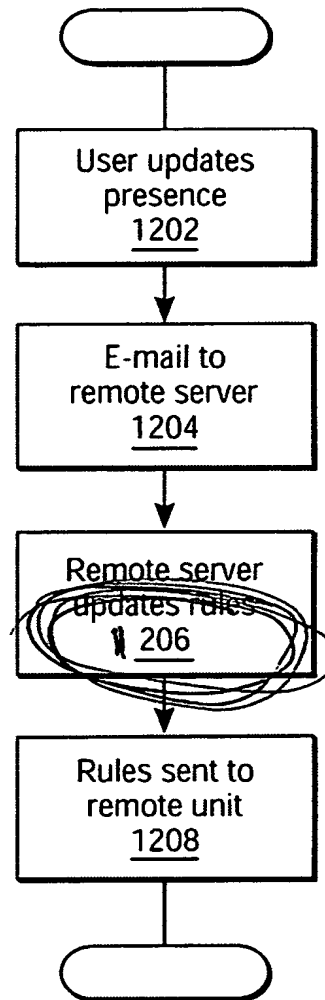


FIG. 12

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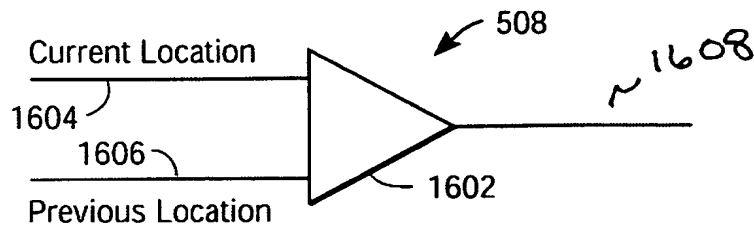


FIG. 16A

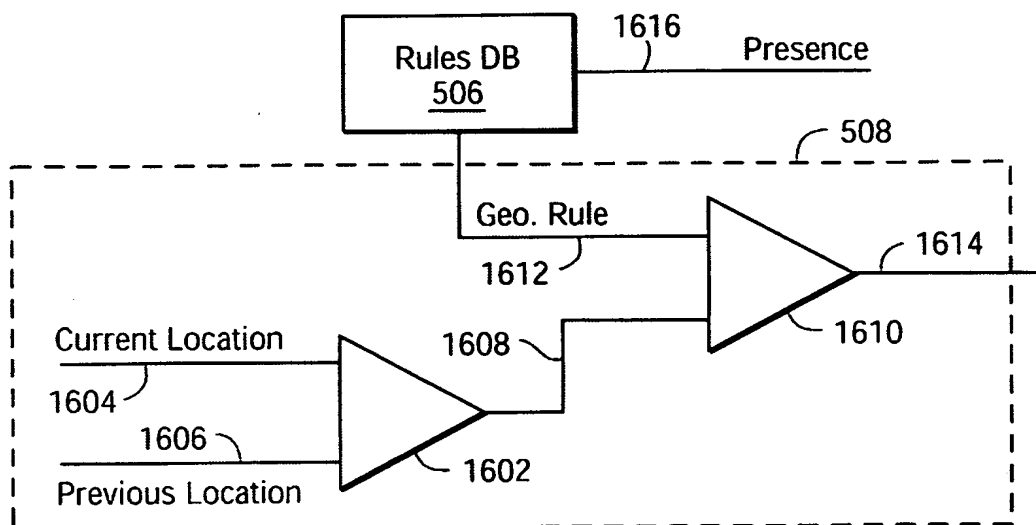


FIG. 16B

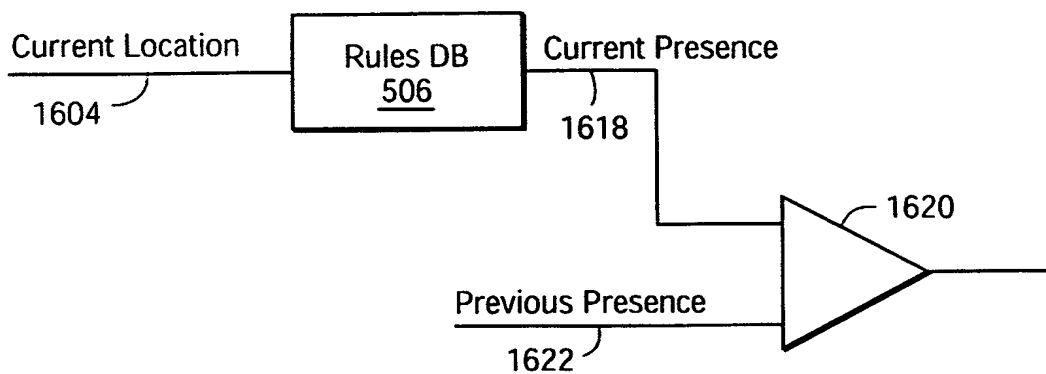


FIG. 16C



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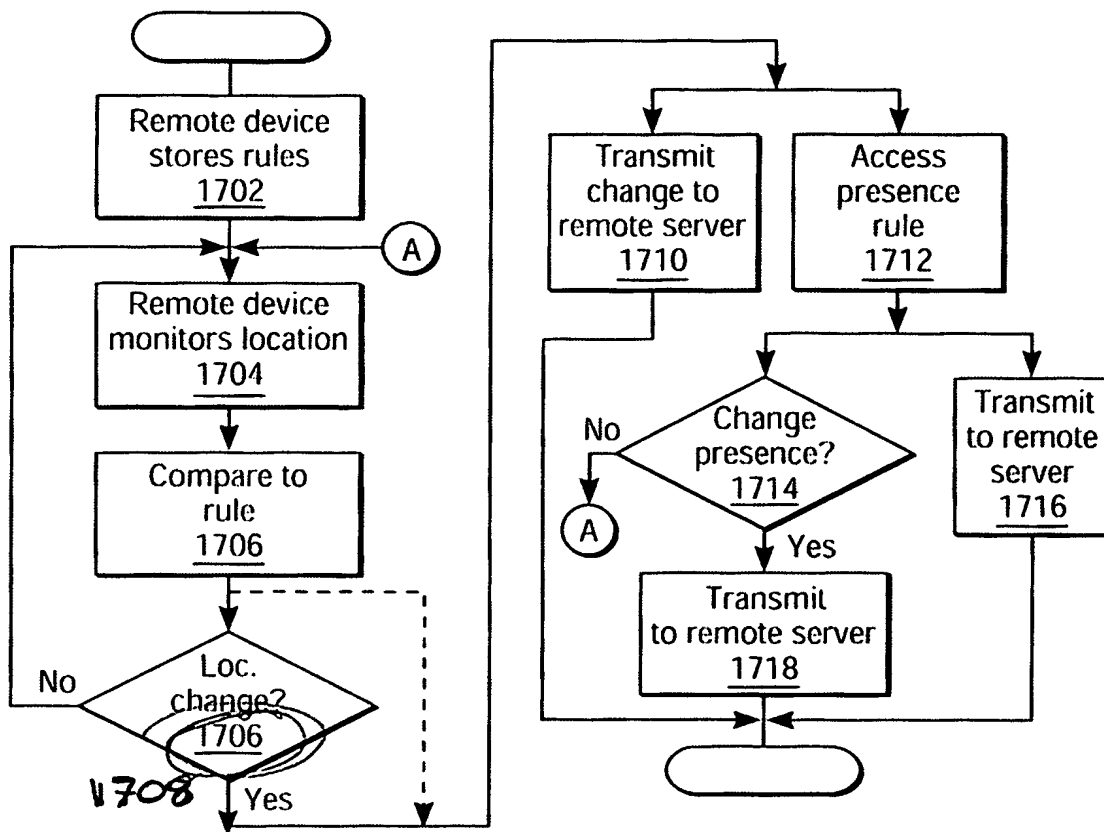


FIG. 17

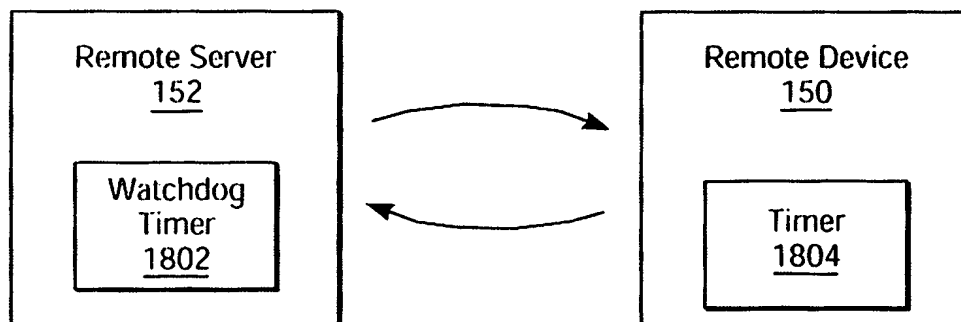


FIG. 18

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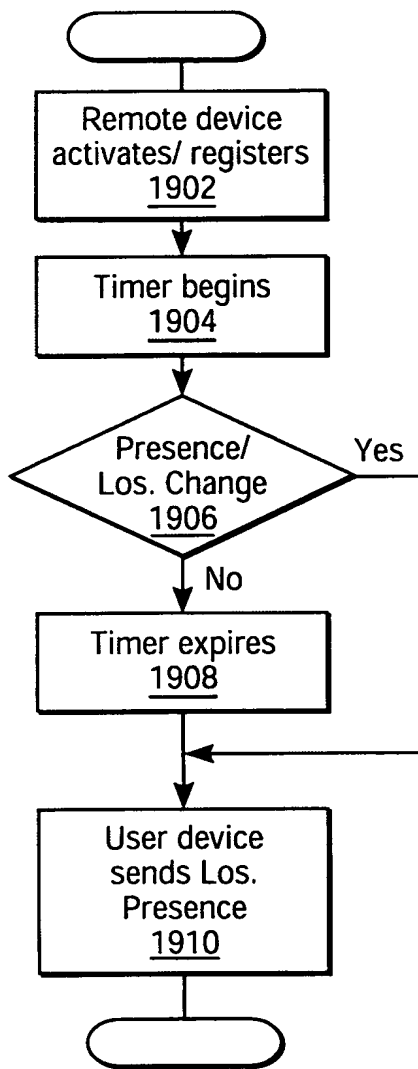


FIG. 19A

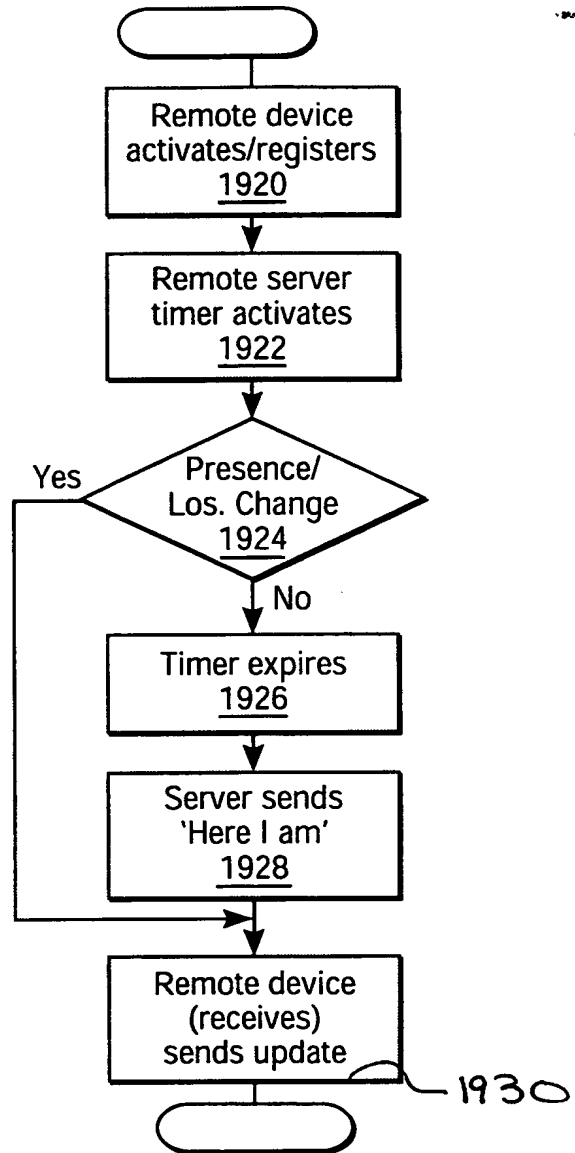


FIG. 19B

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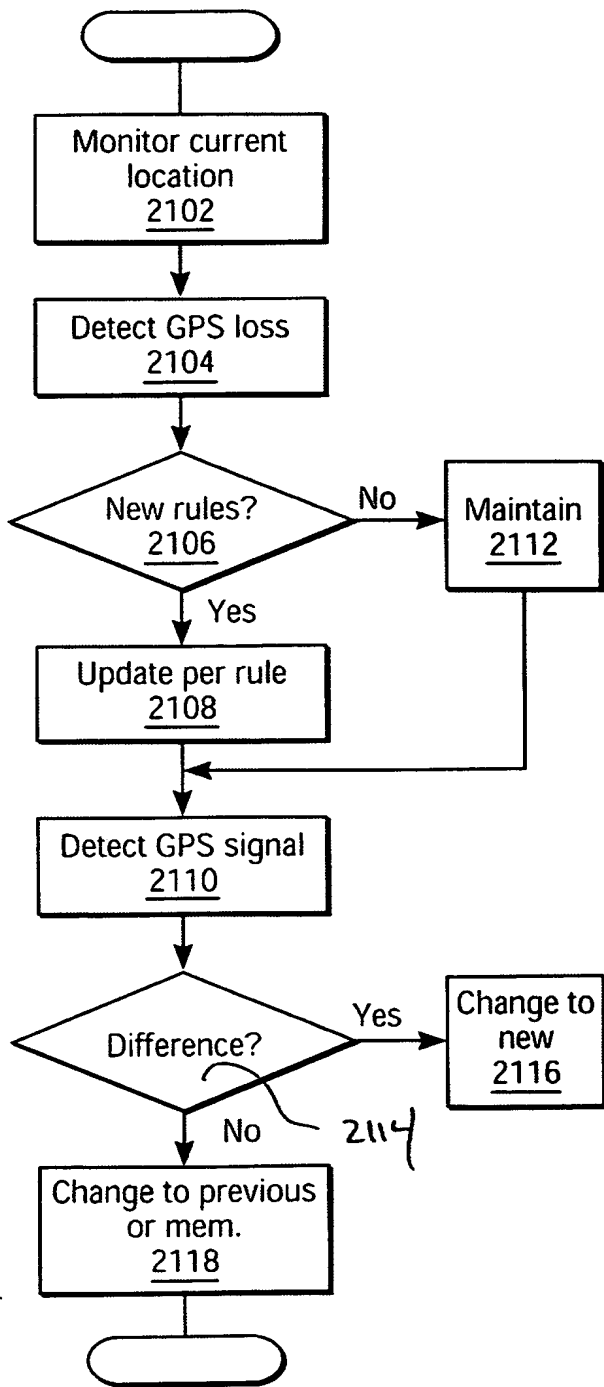


FIG. 21

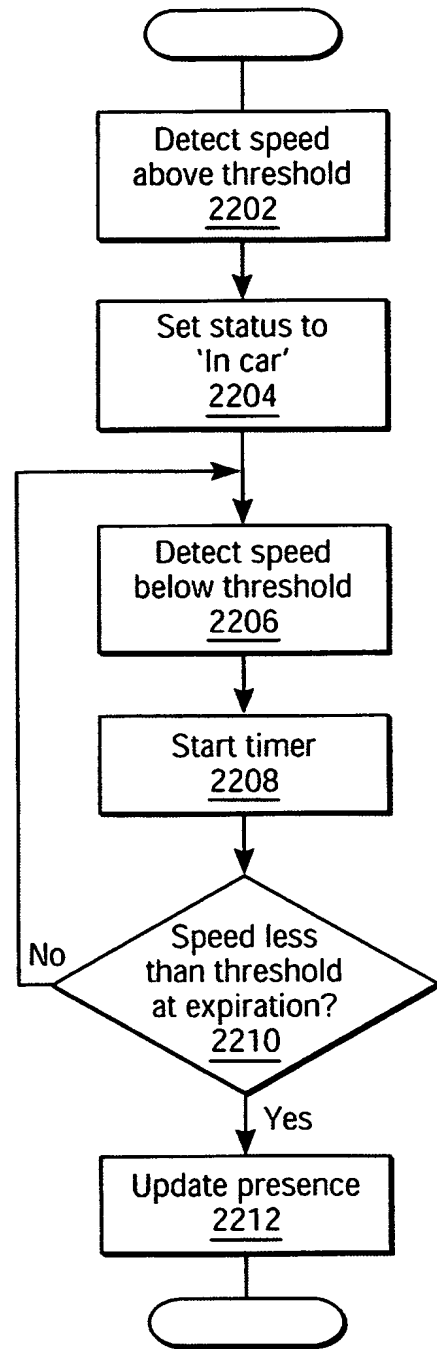


FIG. 22

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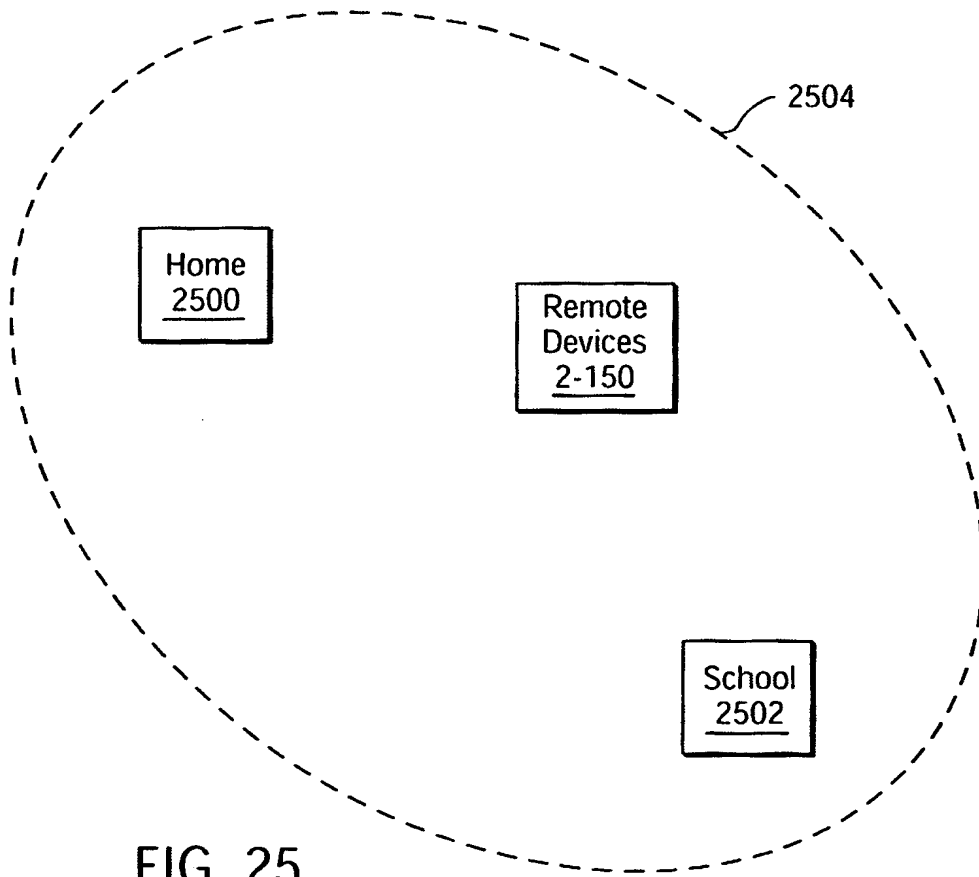


FIG. 25

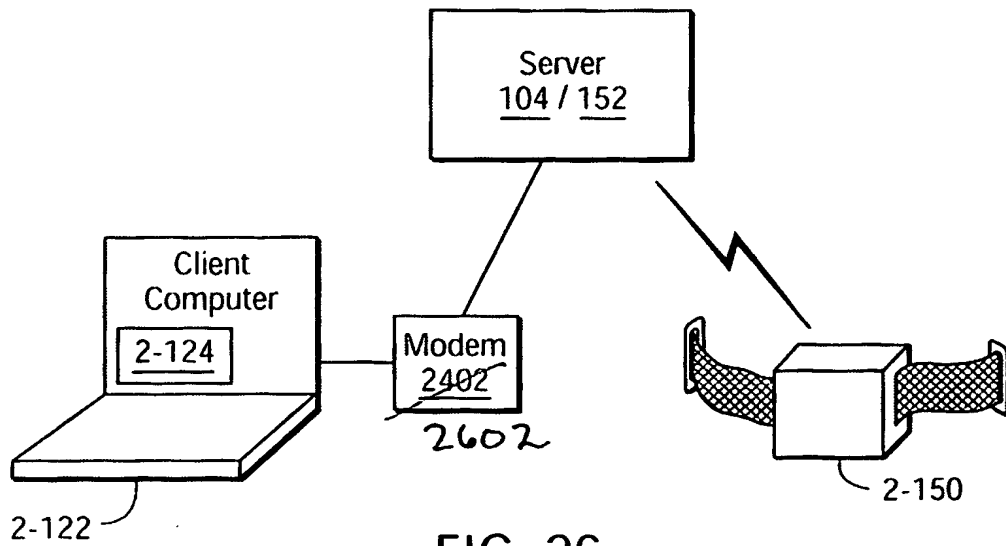


FIG. 26

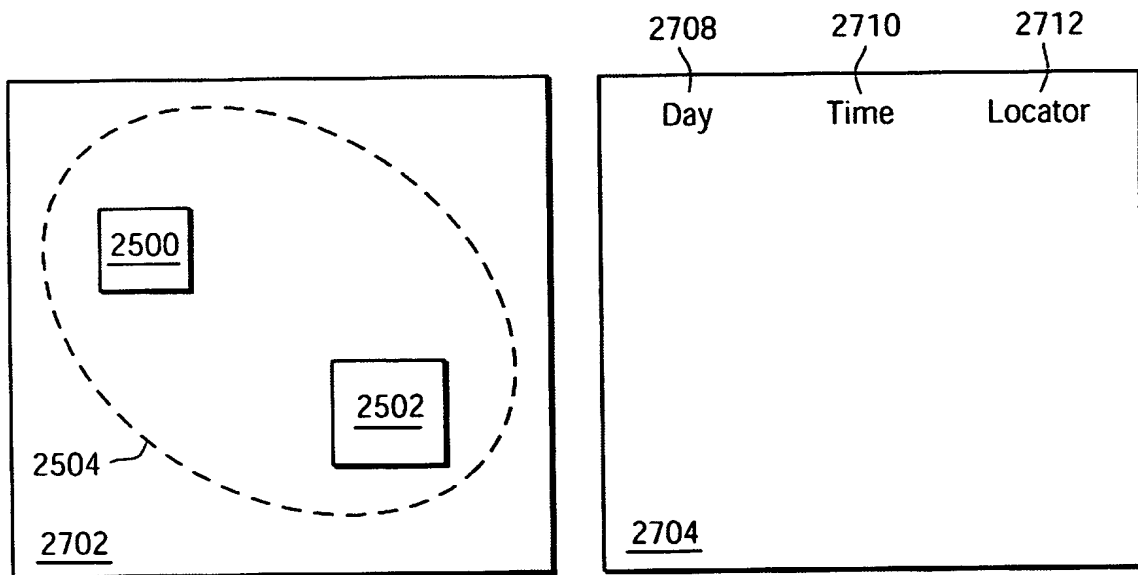


FIG. 27

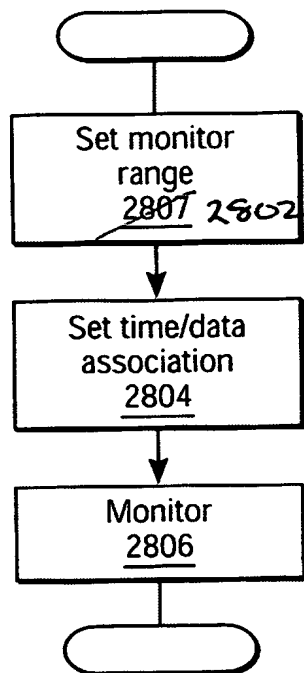


FIG. 28

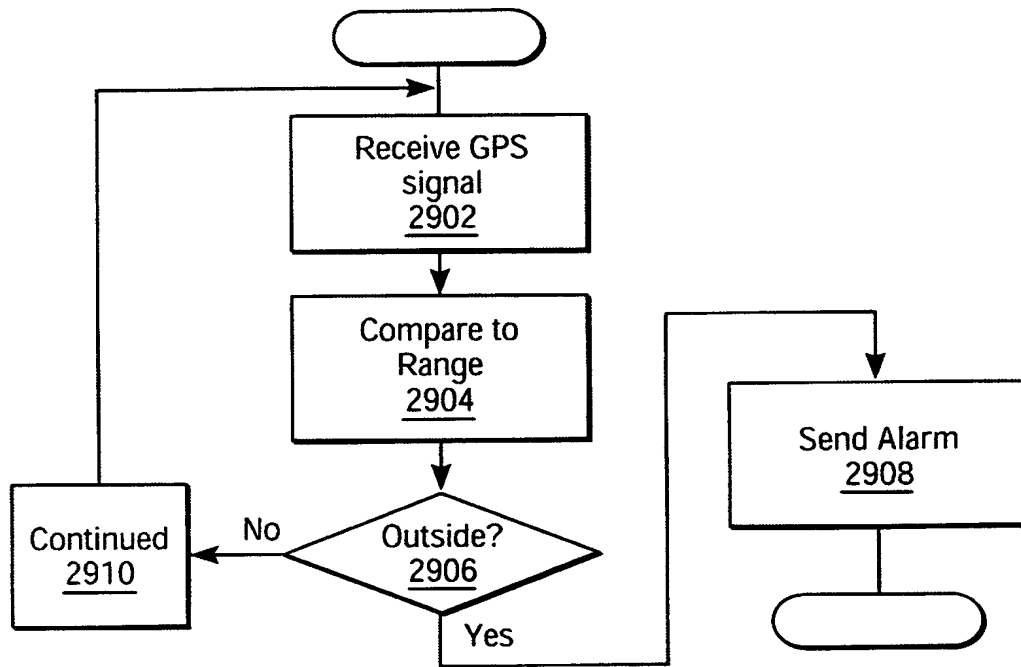


FIG. 29

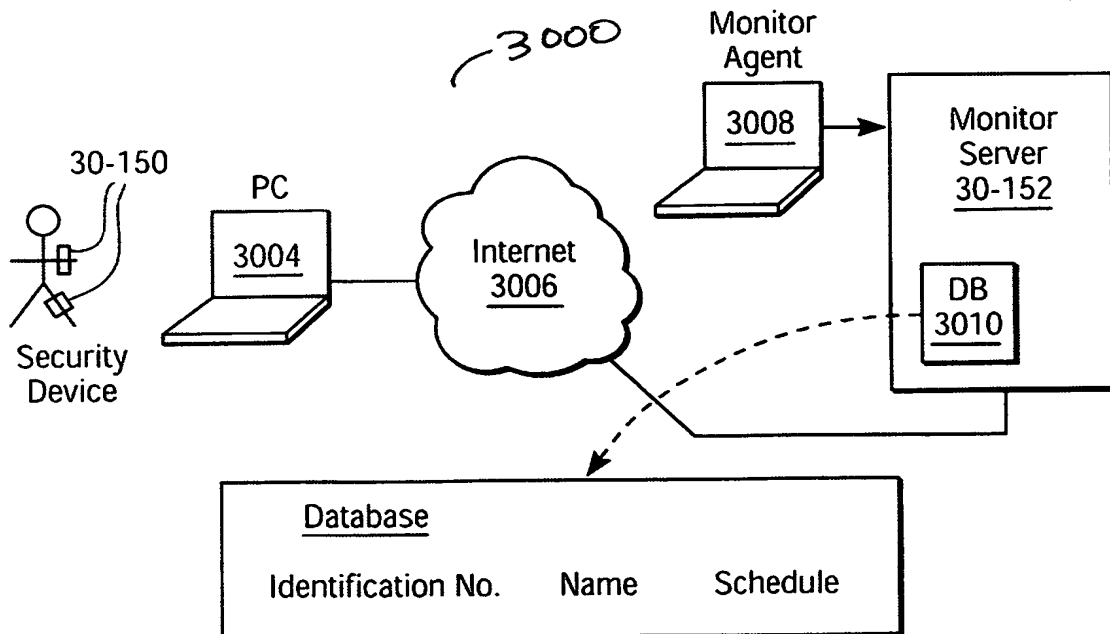


FIG. 30

3160  
2900

URL:

Current Schedule: ~~2902~~  
3102

Modification Req.: ~~2904~~  
3104

▼

FIG. 31

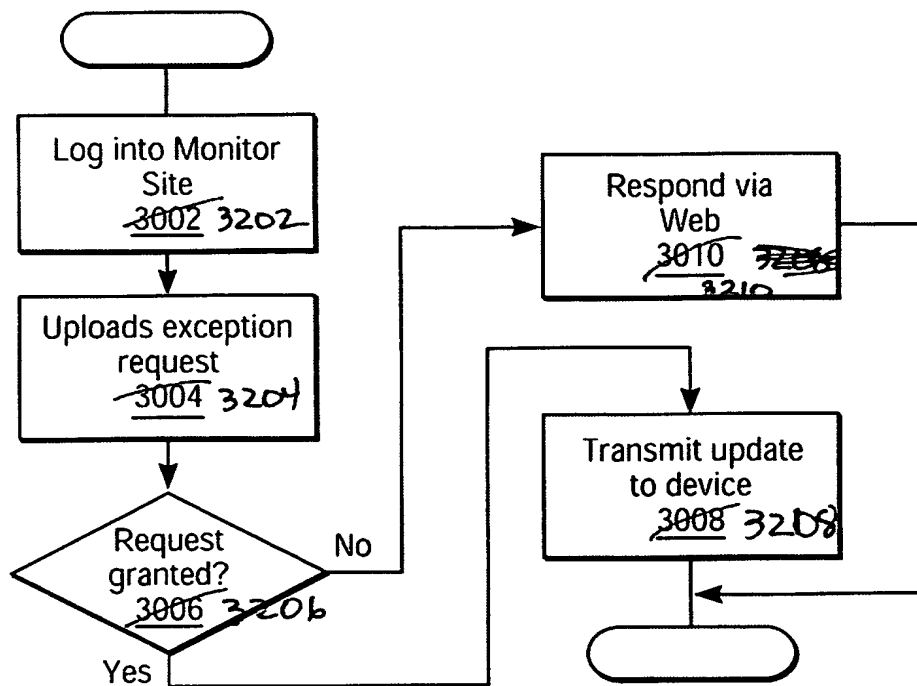


FIG. 32